

Patricia L. Peden (CA 206440)
LAW OFFICE OF PATRICIA L. PEDEN
1316 67th Street, Suite 6
Emeryville, California 94608
Telephone: (510) 268-8033

Nicholas H. Patton (admitted pro hac vice)
Geoffrey P. Culbertson (admitted pro hac vice)
PATTON, TIDWELL & SCHROEDER, L.L.P.
4605 Texas Boulevard
Post Office Box 5398
Texarkana, Texas 75505-5398
Telephone: (903) 792-7080
Facsimile: (903) 792-8233

Courtney Towle (CA 221698)
Patton, Tidwell & Schroeder, L.L.P.
1316 67th Street
Emeryville, CA 94608
Telephone: (415) 939-2133

Attorneys for Plaintiffs
VIESTE, LLC and VIESTE DEVELOPMENT, LLC

Daniel J Crawford (CA 126584)
Jason A. Geller (CA 168149)
Fulton M. Smith III (CA 121071)
David P. Borovsky (CA 216588)
Juan C. Araneda (CA 213041)
MECKLER BULGER TILSON MARICK & PEARSON LLP
575 Market Street
22nd Floor
San Francisco, CA 94105
Telephone: (415) 644-0914
Facsimile: (415) 644-0978

Attorneys for Defendants and Counterclaimants
HILL REDWOOD DEVELOPMENT, LTD., HILL
INTERNATIONAL, INC., HILL INTERNATIONAL
DEVELOPMENT, LTD., REDWOOD CAPITAL
ADVISORS, LLC, and Defendants STEPHEN GOODMAN,
and S. DICK SARGON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

(1) VIESTE, LLC, an Indiana corporation;
and
(2) VIESTE DEVELOPMENT, LLC; an
Indiana corporation,

Plaintiffs,

vs.

No. C09-04024 JSW (DMR)

(1) HILL REDWOOD
DEVELOPMENT, LTD., a British Virgin
Islands corporation;
(2) HILL INTERNATIONAL, INC., a
Delaware corporation;
(3) HILL INTERNATIONAL
DEVELOPMENT LTD., A British Virgin
Islands corporation;
(4) REDWOOD CAPITAL ADVISORS,
LLC, a Delaware corporation;
(5) STEPHEN GOODMAN,
individually; and
(6) S. DICK SARGON, individually;

Defendants.

AND RELATED CROSS-CLAIMS.

**STIPULATION AND PROPOSED
ORDER SETTING DATES FOR PRE-
TRIAL SUBMISSIONS**

For good cause as detailed below, subject to the Court's approval, and to aid in the efficient preparation of the pretrial filings required by this Court's Standing Order for Final Pretrial Conference in Civil Jury Cases, the undersigned parties hereby stipulate and agree to the following schedule for exchanging the required pre-trial submissions. By and through this Administrative Motion, the parties ask the Court to enter an order setting the following deadlines.

THE PARTIES STIPULATE AS FOLLOWS:

1. On July 29, 2011 the parties will exchange (1) exhibit lists, including excerpts of interrogatory responses and requests for admissions and (2) proposed jury instructions;
2. On August 1, 2011 the parties will exchange deposition designations for testimony to be offered in their case-in-chief.

1 3. On August 5, 2011 the parties will exchange (1) their lists of proposed stipulated
2 facts; (2) objections to the opposing party's exhibits; and (3) an identification of disputed jury
3 instructions.

4 4. The parties will meet and confer about their disputes concerning jury instructions
5 on or before August 10, 2011.

6 5. On August 8, 2011, the parties will exchange counter-designations for the
7 deposition testimony to be offered by each party during their case-in-chief.

8 6. On August 10, 2011, the parties will exchange their list of factual issues that remain
9 to be tried.

10 7. On August 11, 2011, the parties will exchange their (1) description of substance of
11 claims and defenses; (2) statement of relief sought; (3) statement of issues to be decided by the
12 court as opposed to the jury; (4) list of witnesses; (5) responses to objections to exhibits; (6)
13 simplified one-page statement of case for use during voir dire & jury charge and (7) proposed voir
14 dire questions.

15 8. On August 12, 2011, the parties will exchange (1) objections to all deposition
16 designations (both initial and counter-designations); and (2) motions in limine.

17 9. On August 15, 2011, the parties will exchange motions in support of the disputed
18 jury instructions.

19 10. On August 15 and/or 16, 2011, the parties will meet, in-person, to confer about
20 deposition designations, description of substance of the claims and defenses, statement of relief
21 sought, stipulated facts, factual issues remaining to be tried, and exhibit list.

22 11. On or before August 18, 2011, the parties will meet and confer to finalize the joint
23 statement of the case to be used for voir dire and finalize their proposed voir dire questions.

24 12. On August 19, 2011, the parties will exchange: (1) opposition to jury instructions
25 motions and (2) trial briefs on controlling issues of law, if any.
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1 13. On or before August 19, 2011, the parties will finalize the joint description of
2 substance of claims and defenses, statement of relief sought, stipulated facts, factual issues that
3 remain to be tried, exhibit list, witness list, and statement of bench issues, if any.

4 14. On August 20, 2011, before 2:00 p.m., the parties will exchange their oppositions to
5 the opposing parties' motions in limine.

6 15. The parties agreed and stipulate to treat the deadlines listed above as filing
7 deadlines. Thus, the parties ask the Court to enter this stipulation as part of the Scheduling Order in
8 this case.

9 16. No other changes to the Court's Scheduling Order are sought.

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11 **IT IS SO STIPULATED**

12 DATED: July 22, 2011.

13 Respectfully submitted,

14
15 /s/ Patricia L. Peden
16 PATRICIA L. PEDEN
17 LAW OFFICE OF PATRICIA L. PEDEN
18 Attorneys for Plaintiffs and Counter-
19 Defendants and Compulsory-counterclaim
20 Plaintiffs
21 VIESTE, LLC and VIESTE
22 DEVELOPMENT, LLC

23 /s/ [Signature]
24 FULTON M. SMITH III
25 DANIEL J. CRAWFORD
26 JASON GELLER
27 DAVID P. BOROVSKY
28 JUAN C. ARANEDA
MECKLER BULGER TILSON MARICK &
PEARSON LLP

Attorneys for Defendants and
Counterclaimants
HILL REDWOOD DEVELOPMENT, LTD.,
HILL INTERNATIONAL, INC., HILL
INTERNATIONAL DEVELOPMENT,
LTD., REDWOOD CAPITAL ADVISORS,

LLC, and Defendants STEPHEN
GOODMAN, AND S. DICK SARGON and
compulsory counterclaims defendants.

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[PROPOSED] ORDER

Good cause appearing for the stipulated relief requested above, the Court hereby orders:

The parties have entered into a stipulation setting deadlines for the exchange of pretrial submissions, and having been requested by the parties to include the stipulated dates as part of the Court's Scheduling Order, the Court hereby sets the following dates for the exchange of pre-trial submissions:

On July 29, 2011 the parties will exchange (1) exhibit lists, including excerpts of interrogatory responses and requests for admissions and (2) proposed jury instructions;

On August 1, 2011 the parties will exchange deposition designations for testimony to be offered in their case-in-chief.

On August 5, 2011 the parties will exchange (1) their lists of proposed stipulated facts; (2) objections to the opposing party's exhibits; and (3) an identification of disputed jury instructions.

The parties will meet and confer about their disputes concerning jury instructions on or before August 10, 2011.

On August 8, 2011, the parties will exchange counter-designations for the deposition testimony to be offered by each party during their case-in-chief.

On August 10, 2011, the parties will exchange their list of factual issues that remain to be tried.

On August 11, 2011, the parties will exchange their (1) description of substance of claims and defenses; (2) statement of relief sought; (3) statement of issues to be decided by the court as opposed to the jury; (4) list of witnesses; (5) responses to objections to exhibits; (6) simplified one-page statement of case for use during voir dire & jury charge and (7) proposed voir dire questions.

1 On August 12, 2011, the parties will exchange (1) objections to all deposition designations
2 (both initial and counter-designations); and (2) motions in limine.

3 On August 15, 2011, the parties will exchange motions in support of the disputed jury
4 instructions.

5 On August 15 and/or 16, 2011, the parties will meet, in-person, to confer about deposition
6 designations, description of substance of the claims and defenses, statement of relief sought,
7 stipulated facts, factual issues remaining to be tried, and exhibit list.

8 On or before August 18, 2011, the parties will meet and confer to finalize the joint statement
9 of the case to be used for voir dire and finalize their proposed voir dire questions.

10 On August 19, 2011, the parties will exchange: (1) opposition to jury instructions motions
11 and (2) trial briefs on controlling issues of law, if any.

12 On or before August 19, 2011, the parties will finalize the joint description of substance of
13 claims and defenses, statement of relief sought, stipulated facts, factual issues that remain to be
14 tried, exhibit list, witness list, and statement of bench issues, if any.

15 On August 20, 2011, before 2:00 p.m., the parties will exchange their oppositions to the
16 opposing parties' motions in limine

17 No other changes to the Court's scheduling order are made.

18 IT IS SO ORDERED.

19 Dated: July 25, 2011

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25 Hon. Jeffrey S. White
26 United States District Court Judge
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